

2. **LEGISLATION AND EXECUTIVE ORDERS**

A. **Environmental Stewardship and Transportation Infrastructure (E.O. 13274)**

On September 18, 2002, President George W. Bush signed Executive Order 13274 titled *Environmental Stewardship and Transportation Infrastructure Project Reviews*. The purpose of the order is to enhance environmental stewardship and streamline the environmental review and development of transportation infrastructure projects. Highlights of the executive order are as follows:

1. The development and implementation of transportation infrastructure projects in an efficient and environmentally sound manner are essential to the well-being of the American people and a strong U.S. economy. Executive departments and agencies (agencies) shall take appropriate actions, to the extent consistent with applicable law and available resources, to promote environmental stewardship in the nation's transportation system and expedite environmental reviews of high-priority transportation infrastructure projects.
2. For transportation infrastructure projects, agencies shall, in support of the Department of Transportation (DOT), formulate and implement administrative, policy, and procedural mechanisms that enable each agency, required by law to conduct environmental reviews with respect to such projects, to ensure completion of such reviews in a timely and environmentally responsible manner.
3. The Secretary of Transportation, in coordination with agencies as appropriate, shall advance environmental stewardship through cooperative actions with project sponsors to promote protection and enhancement of the natural and human environment in the planning, development, operation, and maintenance of transportation facilities and services.
4. The Secretary of Transportation shall designate a list of high-priority transportation infrastructure projects that should receive expedited agency reviews and shall amend the list from time to time as the Secretary deems appropriate. For projects on the Secretary's list, agencies shall to the maximum extent practicable expedite their reviews for relevant permits or other approvals, and take related actions as necessary, consistent with available resources and applicable laws, including those relating to safety, public health, and environmental protection.
5. There is established within DOT, and chaired by the Secretary of Transportation, the Cabinet-level interagency Transportation Infrastructure Streamlining Task Force to: (a) monitor and assist agencies in their efforts to expedite the review of transportation infrastructure projects and issue permits or similar actions, as necessary; (b) review projects, at least quarterly, on the Transportation Secretary's list of priority projects; and (c) identify and promote policies that can effectively streamline the process required to provide approvals for transportation infrastructure projects, in compliance with applicable law, while maintaining safety, public health, and environmental protection. The Task Force is to report to the President at least once each year.

For further information, contact Mr. Brian Roehrkasse, Office of Public Affairs (A-1), U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590, (telephone: (202) 366-4570). The related press release of Secretary of Transportation Norman Y. Mineta (DOT 85-2), which describes steps that DOT is taking to implement E.O. 13274, can be found on the DOT Internet Web Page: <http://www.dot.gov/affairs>.

B. Maritime Transportation Security Act of 2002 (P.L. 107-295)

On November 25, 2002, President George W. Bush signed into law the Maritime Transportation Security Act of 2002 (Public Law 107-295). According to the Office of Senator Ernest F. Hollings, this new law integrates the myriad of federal, state, local, and private law enforcement agencies overseeing the security of the international borders at U.S. seaports. It authorizes more security officers, more screening equipment, and the building of important security infrastructure at seaports. The legislation addresses such threats as terrorism, drug trafficking, cargo theft, and smuggling of contraband and aliens at the nation's seaports.

The Maritime Transportation Security Act of 2002 has five titles dealing with maritime transportation security, maritime policy improvement, Coast Guard personnel and maritime safety, omnibus maritime improvements, and authorization of appropriations for the Coast Guard. A few of the many maritime transportation security provisions of the Act are as follows:

1. Provides that the Secretary of the Department in which the Coast Guard is operating will conduct an assessment of vessels and facilities on or adjacent to U.S. waters to identify those at high risk of being involved in a transportation security incident. A "transportation security incident" means a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area. Once the vulnerable infrastructure is identified, the Coast Guard will conduct more detailed vulnerability assessments of vessels and facilities.
2. Mandates that a National Maritime Transportation Security Plan and regional Area Maritime Transportation Security Plans be developed and implemented by the Coast Guard for deterring and responding to transportation security incidents.
3. Mandates that vessels and port facilities have comprehensive security plans and incident response plans based on detailed Coast Guard vulnerability assessments and security regulations. Requires that these plans be approved by the Coast Guard. All waterfront facilities and vessels are required to operate under approved security plans.
4. Directs the Secretary to develop regulations for secure areas in vessels and port facilities, as part of the security plans, and to limit access to security-sensitive areas through background checks and the issuance of transportation security identification cards.
5. Authorizes the establishment of maritime safety and security teams to safeguard the public and protect vessels, harbors, ports, facilities, and cargo in waters subject to jurisdiction of the United States.

6. Establishes a grant program to make fair and equitable allocations among port authorities, waterfront facility operators, and state and local agencies for the purpose of providing security infrastructure and services.
7. Authorizes \$90 million in research and development grants to be awarded for the development of methods and equipment to increase the ability of the U.S. Customs Service to make secure the ports of the United States.
8. Encourages the Secretary to negotiate an international agreement that provides for a uniform, comprehensive, international system of identification for seafarers. If the international negotiations fail, the Secretary is to transmit draft legislation to Congress that, if enacted, would establish a uniform, comprehensive system of seafarer identification.
9. Directs the Secretary to develop standards and curriculum to allow for the training and certification of maritime security professionals. Authorizes \$33 million for this program to train law enforcement or maritime security personnel in the United States and personnel employed in foreign ports used by vessels with U.S. citizens as passengers or crew members.
10. Requires the implementation of a maritime intelligence system to collect, integrate, and analyze information concerning vessels operating on or bound for U.S. waters, including information related to crews, passengers, cargoes and intermodal shipments.
11. Requires commercial and other vessels, while operating on the navigable waters of the United States, to be equipped with and operate an automatic identification system (AIS) under regulations prescribed by the Secretary.
12. The Secretary may also develop and implement a long-range vessel tracking system for all vessels in U.S. waters that are equipped with the Global Maritime Distress and Safety System or equivalent satellite technology.
13. Provides for establishment of a program to evaluate and certify secure systems of international intermodal transportation that includes screening and evaluating cargo prior to loading in a foreign port for shipment to the United States, securing cargo and monitoring security while in transit, and enhancing physical security of shipping containers.
14. Creates a Maritime Security Advisory Committee to report on and make recommendations on national maritime security matters.
15. Provides for the assignment of Coast Guard personnel as sea marshals and the enhanced use of other security personnel. The Coast Guard is specifically authorized to dispatch properly trained, qualified, and armed personnel to vessels and public or commercial structures on or adjacent to U.S. waters to deter or respond to terrorism or transportation security incidents.

For further information, contact Mr. Andy Davis, Office of Senator Ernest F. Hollings, SR-125 Russell Senate Office Building, Washington, DC 20510-4002, (telephone: (202) 224-6654), or refer to the Senator's Internet Web Site: <http://hollings.senate.gov>.